

## Administrative Procedure 115

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Last Revised: February 2016

# FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

## Background

The *Freedom of Information and Protection of Privacy Act* (FOIP), which was passed by the province of Alberta in October 1994, was extended to apply to School Boards on September 1, 1998. The FOIP Act requires that all information in the control and custody of the Board is governed in accordance with the fundamental principles respecting the right of access to information and the protection of individual privacy.

The division will manage all information in a manner that supports the Board's commitment to providing the public with access, with only a limited number of specific exceptions, while protecting the personal privacy of the individual in accordance with provincial legislation.

## Procedures

1. The Superintendent has been designated as FOIP Head by the Board in accordance with section 89 of the Freedom of Information and Protection of Privacy Act and is responsible for ensuring that the division complies with the provisions of the Act.
2. The Secretary-Treasurer has been designated as FOIP Coordinator in accordance with the provisions of FOIP and is responsible for the overall management of the FOIP Act.
3. The FOIP Coordinator shall:
  - 3.1 Develop and maintain procedures to guide in the implementation of the requirements of the *FOIP Act*.
  - 3.2 Coordinate the administration of the *FOIP Act*.
  - 3.3 Manage the processing of requests.
  - 3.4 Assist division personnel in understanding the requirements of the legislation.
  - 3.5 Monitor FOIP requests in terms of the number received, source of request, disposition, correction of personal information and completion time.
  - 3.6 Prepare and make available to the public an information directory and a corporate records file manual that would provide a general listing of the records in the custody or control of the Board.

4. No personal information will be collected unless its collection is specifically authorized by provincial legislation or is necessary for a program or activity of the division.
5. The division may use or disclose personal information only for the purpose for which it was collected or compiled, or for a use consistent with that purpose, or if the individual has identified the information and consented to its use, or for purposes referred to in the FOIP Act.
6. The division has a responsibility to maintain accurate and complete personal information when that information is used to make decisions about the individual. The Act permits an individual to correct an error or omission that has been made on their personal information.
7. Persons requesting information shall first contact either the school or the division office whichever is responsible for creating or maintaining the information in question. The records management system, noted in 3.5 above, may be reviewed to assist in locating readily available accessible information, documents or contact persons.
8. Databases and data files are considered to be records and will be treated as such. All database and datafiles are to be stored strictly within the division, on division or division approved equipment, and not permanently on personal computers, accounts, or sites.
9. If the requested information is not readily available, then the person may attempt to access the information through the FOIP Act through application to the FOIP Coordinator. A form, to be used for this purpose, has been prepared and is included in the Forms Manual.
10. An initial fee of \$25.00 will be charged and shall accompany each formal request for information made to the division. Any additional fees shall be levied in accordance with Schedule 2 of the FOIP Act. Fees may be waived by the FOIP Head if the applicant is unable to pay or if the record deals with a matter of public interest.
11. No initial fee will be charged to an individual for access to their personal information but the cost of producing copies will be charged.
12. Principals shall:
  - 12.1 Ensure that the management of information in their custody and under their control and custody meets the requirements of the legislation in regard to both access to information and protection of privacy.
  - 12.2 Identify and provide access to information that can be released without a FOIP request.
  - 12.3 Provide assistance in dealing with FOIP requests and provide feedback to the FOIP Coordinator on issues or concerns with implementing the divisional procedures or the *Act*.